

REMARKS

Reconsideration of the present application is respectfully requested.

Claims 1-8 are pending in the application, with Claims 1, 4 and 7 being independent claims.

Claims 1-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bick* (U.K. Pat. App. No. GB 2,367,530) in view of *Miyajima et al.* (U.S. 6,518,958).

Regarding the rejection of Claims 1, 4 and 7 under 35 U.S.C. § 103(a), the Examiner states that *Bick* teaches all of the elements of the claim, except for “a plurality of key buttons being integrally formed with each other and being positioned such that top planar surfaces of the plurality of key buttons form a single, substantially planar touch screen panel with no spacing in between the top planar surfaces of adjacent keys among the plurality of key buttons,” which is allegedly taught *Miyajima*. Applicants disagree.

Bick discloses a keypad assembly 7 for a portable radiotelephone (Abstract; Fig. 3), comprising a key button part 17 having a plurality of key buttons 18 for functioning in one of a keypad mode and a touch screen panel mode (page 4 lines 18-19); and a power supply unit (page 4 lines 5-6).

Miyajima is directed to an electronic apparatus having a membrane switch and a touch panel switch at its entirety section, the touch panel switch is elastic and is laid over the membrane switch. The two-layered structure provides users with two operations: a “finger-sliding” operation and a “finger-depressing operation.” When a user slides a finger on the surface of the touch panel switch, the sliding force activates the touch panel switch. The “finger-sliding” is used for selecting a desired item. On the other hand, when the user presses down on the surface of the touch panel switch, the depression force through the touch panel switch activates the underlying membrane switch. The “finger-depressing” is used for numeric or symbolic information entry.

A main concept in *Miyajima* is to perform a scroll function, whereas the present application provides an apparatus and method for inputting characters, as well as the scroll function. That is, each independent claim of the present application recites that there is no space between key buttons in order to facilitate character input. However, *Miyajima* does not mention “no space between key buttons” because the scroll function is available even if there is space between the key buttons. Therefore, there are technical differences between independent Claims 1, 4 and 7 and *Miyajima*.

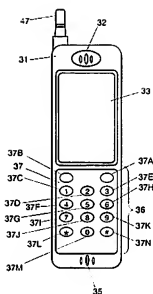
As described above, in rejecting independent Claim 1 the Examiner admits that *Bick* fails to teach “a plurality of key buttons being integrally formed with each other and being positioned such that top planar surfaces of the plurality of key buttons form a single, substantially planar touch screen panel with no spacing in between the top planar surfaces of adjacent keys among the plurality of key buttons,” but asserts that this is taught *Miyajima*. As previously presented, Applicants respectfully disagree with the Examiner’s application of *Miyajima*.

The Examiner cites the Abstract and FIGs. 1, 2, and 6-8 of *Miyajima*, specifically identifying “where keys are close together and without spacing where the finger is slid over the same area as the key button part.”

The Abstract of *Miyajima* is summarized above, and as can be easily seen, there is nothing in the Abstract that teaches “a plurality of key buttons being integrally formed with each other and being positioned such that top planar surfaces of the plurality of key buttons form a single, substantially planar touch screen panel with no spacing in between the top planar surfaces of adjacent keys among the plurality of key buttons.”

Further, FIG. 1 of *Miyajima* is presented below for ease of comparison.

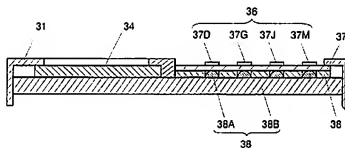
FIG. 1



As can be seen above, the key buttons in FIG. 1 are clearly spaced apart from each.

Further, FIG. 2 of *Miyajima* is presented below for ease of comparison.

FIG. 2



As shown above, FIG. 2 is a side perspective of the phone illustrated in FIG. 1. Additionally, FIG. 2 clearly shows that the top planar surfaces of the plurality of key buttons (37D, 37G, 37J, and

37M) are spaced far apart, and therefore do not form a single, substantially planar touch screen panel with no spacing in between the top planar surfaces of adjacent keys among the plurality of key buttons, as recited in independent Claim 1.

Additionally, FIGs. 6-8 illustrate basically the same phone and keypad illustrated in FIG. 1. Therefore, these figures also fail to teach “a plurality of key buttons being integrally formed with each other and being positioned such that top planar surfaces of the plurality of key buttons form a single, substantially planar touch screen panel with no spacing in between the top planar surfaces of adjacent keys among the plurality of key buttons.”

Further, the Examiner’s identification of “where keys are close together and without spacing where the finger is slid over the same area as the key button part,” does not actually appear to relate to anything actually described in *Miyajima*, nor does it appear to address the recitation of Claim 1, i.e., “a plurality of key buttons being integrally formed with each other and being positioned such that top planar surfaces of the plurality of key buttons form a single, substantially planar touch screen panel with no spacing in between the top planar surfaces of adjacent keys among the plurality of key buttons.”

Upon review of the remaining sections of *Miyajima*, Applicants can find no section that teaches “a plurality of key buttons being integrally formed with each other and being positioned such that top planar surfaces of the plurality of key buttons form a single, substantially planar touch screen panel with no spacing in between the top planar surfaces of adjacent keys among the plurality of key buttons.”

Regarding the rejection of Claims 4 and 7 under 35 U.S.C. § 103(a), the above rationale for Claim 1 also similarly applies to independent Claims 4 and 7 with respect to *Bick* in view of *Miyajima*.

Accordingly, as neither *Bick* nor *Miyajima*, either alone or in combination, teaches “a plurality of key buttons being integrally formed with each other and being positioned such that top

planar surfaces of the plurality of key buttons form a single, substantially planar touch screen panel with no spacing in between the top planar surfaces of adjacent keys among the plurality of key buttons,” it was previously argued that independent Claims 1, 4, and 7 are patentably distinct from *Bick* in view of *Miyajima*.

In response to Applicants’ previous arguments, the Examiner states the following:

Miyajima clearly discloses according to its abstract and specification col. 5, lines 1-21, a two-layer structure, where the touch panel formed to be elastic is laid over the top surface of the entry section 36 and membrane switch with tactile feedback is laid beneath the touch panel switch 37. Furthermore, col. 5, lines 22-38 disclose that 37A-37N are markings for the key button input and are simply raised, but otherwise, the top surface is substantially planar and is a single surface with no spacing between keys. The “keys” underneath the touch panel membrane.

Applicants respectfully disagree with Examiner’s assertion that that “37A-37N are markings for the key button input and are simply raised, but otherwise, the top surface is substantially planar and is a single surface with no spacing between keys.” As is clearly shown above in FIG. 2, the top planar surfaces of the plurality of key buttons are spaced far apart, and therefore do not form a single, substantially planar touch screen panel with no spacing in between the top planar surfaces of adjacent keys among the plurality of key buttons, as recited in the independent claims.

Further, as *Miyajima* clearly teaches that the touch panel is laid over the top surface of the entry section 36 and membrane switch with tactile feedback is laid beneath the touch panel switch 37, it is unreasonable for the Examiner to now assert that the keys are actually underneath the touch panel membrane. Clearly, in *Miyajima*, the “keys” are formed by the touch panel laid over the top surface of the entry section 36. Accordingly, the top planar surfaces of the plurality of key buttons are those identified by 37A-37N, which include 37D, 37G, 37J, and 37M of FIG. 2, and do not form

a single, substantially planar touch screen panel with no spacing in between the top planar surfaces of adjacent keys among the plurality of key buttons.

Additionally, even if Applicants are to use the Examiner's new interpretation of the keys being below the touch panel membrane, FIG. 2 clearly illustrates that these keys are spaced apart from each other (see 38A and 38B). Accordingly, this still does not teach the plurality of key buttons form a single, substantially planar touch screen panel with no spacing in between the top planar surfaces of adjacent keys among the plurality of key buttons, for functioning in one of a keypad mode and a touch screen panel mode, as recited in the independent claims.

Therefore, it is respectfully submitted that independent Claims 1, 4, and 7 are patentably distinct from *Bick* in view of *Miyajima*, and it is respectfully requested that the rejection be withdrawn.

Regarding Claims 2-3, 5-6 and 8, while not conceding the patentability of the dependent claims, *per se*, it is respectfully asserted that Claims 2-3, 5-6 and 8 are also patentable for at least the above reasons. Accordingly, it is respectfully submitted that Claims 1-8 are allowable over *Bick* in view of *Miyajima*, and is respectfully requested that the rejection under 35 U.S.C. §103(a) be withdrawn.

Accordingly, all of the claims pending in the Application, namely, Claims 1-8, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

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